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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 11-42582 EDJ

HARVINDER SINGH,

Chapter 13

Debtor.

**MOTION TO VALUE SECURITY OF
BANK OF AMERICA AS SUCCESSOR
IN INTEREST TO GREENPOINT
MORTGAGE FUNDING INC. UNDER
FRBP 3012; NOTICE AND
OPPORTUNITY TO REQUEST A
HEARING**

Debtor Harvinder Singh ("Debtor") hereby moves the court to value the claim of Bank of America as successor in interest to Greenpoint Mortgage Funding Inc. ("Bank of America") secured by a lien against Debtor's property located at 5308 Aspen Street, Dublin, CA 94568 ("the property").

1. This motion is based on the petition, schedules, and documents on file herein, and the Memorandum of Points and Authorities in Support of the Motion and Declaration of Debtor in Support of the Motion filed herewith.

1 2. As stated in the attached Declaration, at the time of filing,
2 Debtor's residence was worth less than the first lien against the
3 property.

4 3. Bank of America holds the second lien against the property.

5 Based on the foregoing, and for the reasons stated in the
6 attached Memorandum of Points and Authorities, Debtor prays that:

7 1. For purposes of Debtor's chapter 13 plan only, the court value
8 Bank of America's lien at zero, hold that Bank of America does not
9 have a secured claim, and hold that Bank of America's lien may not be
10 enforced, pursuant to 11 U.S.C. §§ 506, 1322(b)(2), and 1327; and

11 2. Upon entry of a discharge in Debtor's' chapter 13 case, the
12 lien shall be voided for all purposes, and upon application by
13 Debtor's, the court will enter an appropriate form of judgment voiding
14 the lien.

15 **PLEASE TAKE NOTICE:**

16 (i) That Local Rule 9014-1 of the United States Bankruptcy Court
17 for the Northern District of California prescribes the procedures to
18 be followed and that any objection to the requested relief, or a
19 request for hearing on the matter must be filed and served upon the
20 undersigned within twenty-one (21) days of mailing of this Notice;

21 (ii) That a request for hearing or objection must be accompanied
22 by any declarations or memoranda of law the party objecting or
23 requesting wishes to present in support of its position;

24 (iii) That if there is not a timely objection to the requested
25 relief or a request for hearing, the Court may enter an order granting
26 the relief by default; and

1 (iv) That the undersigned will give at least seven (7) days
2 written notice of hearing to the objecting or requesting party, and to
3 any trustee or committee appointed in the case, in the event an
4 objection or request for hearing is timely made; and

5 (v) That, except as otherwise ordered by the court, the initial
6 hearing on the motion will not be an evidentiary hearing, and will
7 serve as a status conference at which the court may schedule any
8 evidentiary hearing necessary.

9
10 Dated: April 20, 2010

/s/ Patrick L. Forte
PATRICK L. FORTE
Attorney for Debtor